

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

United States of America)
)
) Cr. No. 3:09-0187
vs.)
)
Paul Timothy Moore,) **NOTICE**
)
Defendant.)
)

The government has filed a motion to reduce your sentence for substantial assistance pursuant to Fed R. Crim. P. 35(b), a copy of which is attached.

The purpose of this Notice is to advise you that the court will take into consideration any relevant information or objection that you would like to submit in response to the government's Rule 35 motion. If you would like to submit such relevant information or objection for the court to consider, please submit the same to the Clerk, United States District Court, 901 Richland Street, Columbia, South Carolina 29201, no later than August 27, 2012. Please clearly print your name and criminal case number on any material you submit to the court. If you do not send a response, the court will assume that you do not object to the government's proposed downward departure and resulting guideline range.

You are advised that you do not have a right to a hearing regarding the government's Rule 35 motion. See Fed. R. Crim. P. 43(b)(4). Additionally, you do not have a Sixth Amendment or statutory right to have an attorney represent you or have counsel appointed for a Rule 35 motion. See 18 U.S.C. § 3006A. You are further advised that it is fully within the court's discretion whether to grant the government's Rule 35 motion. If the court grants the motion, it is within the court's discretion to determine how much of a reduction should be given.

/s/ Margaret B. Seymour
Chief United States District Judge

Columbia, South Carolina
August 9, 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA) CRIMINAL NO.: 3:09-187 (MBS)
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)
)
) MOTION TO REDUCE SENTENCE
vs.)
)
PAUL TIMOTHY MOORE)
)
)

The United States of America, by and through its undersigned attorney, respectfully moves for a reduction in the sentence of the defendant, PAUL TIMOTHY MOORE, pursuant to F.R.Crim.P. 35(b), and in support of such motion, states the following:

The defendant was sentenced on June 7, 2010, by the Honorable Margaret B. Seymour. He received a **sentence of 121 months** for Conspiracy to Commit Theft of Government Property, Mail Fraud, and Wire Fraud, in violation of Title 18 U.S.C. Sections 641, 1341, 1343, and 1349, and **120 months concurrent** for Theft from an Organization Receiving Federal Funds, in violation of Title 18, U.S.C. Section 666(a)(1)(A). The defendant's total offense level was 30 and his criminal history category was I.

Since he was sentenced, Moore provided substantial assistance to the government in the following respects. Moore was interviewed pursuant to his plea agreement and in preparation for a potential indictment against "Target A" During these debriefings he provided key details about his

activities and his interactions with "Target A". The Government believes that the information provided was timely, material, and accurate. The Government intended to prosecute "Target A" based on information provided by Moore but was unable to clear a procedural threshold.

WHEREFORE, the Government moves that this Honorable Court grant the Motion for a Reduction in Sentence. At his original sentencing the defendant was sentenced at an offense level 30, with a criminal history category I (range of 97-121 months). The government recommends a downward departure from this offense level of one level to offense level 29, which would result in a guideline range of **87-108 months**. The Government defers to the Court where in that range he should fall.

The Government has conferred with the case agent in this matter, S.A. Michael Babb, and he concurs with the motion.

Respectfully submitted,

WILLIAM N. NETTLES
UNITED STATES ATTORNEY

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Columbia, South Carolina

August 8, 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)
)
)
) Criminal No.: 3:09-CR-00187
v.)
)
)
PAUL TIMOTHY MOORE)
)
)

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the District of South Carolina, and on August 8, 2012, I served, or caused to be served, one true and correct copy of this MOTION TO REDUCE SENTENCE, in the above-captioned case, via first class mail and electronic mail, on the following person:

Paul Timothy Moore, #17255-171
FCI Terre Haute
Federal Correctional Institution
Post Office Box 33
Terre Haute, IN 47808

s/Winston D. Holliday, Jr.

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